

Appln. No. 10/083,125  
Amendment dated Feb. 18, 2005  
Reply to Office Action of Nov. 18, 2004  
Docket No. BOC9-2001-0011 (302)

### **REMARKS/ARGUMENTS**

These remarks are made in response to the Office Action of November 18, 2004 (Office Action). As this response is timely filed within the three-month statutory period, no fee is believed due.

In paragraph 4 of the Office Action, the Examiner has rejected claims 1-27 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,241,589 to Jefferson (Jefferson) in view of U.S. Patent No. 5,204,894 to Darden (Darden). Independent Claims 1, 14, and 16 have been amended to more clearly distinguish Applicants' invention. The amendments are fully supported in the specification as discussed herein. No new matter has been added by virtue of these amendments.

#### **I. Applicants' Invention**

It may be helpful to briefly review some of the features of Applicants' invention before addressing the rejections on the art. One embodiment of Applicants' invention is an automated method for transferring a call. The method includes receiving from a calling party within an established call a request specifying a name, comparing the name with a listing of names and associated directory numbers to determine if there is a match. The method further includes processing a directory number associated with the matched name so as to select a dialable number from among a set of numbers. The selection, more particularly, can be based upon a set of customizable dialing preferences and a set of customizable translation attributes. Once selected, the dialable number is sent to a telephony switch to transfer the call.

As explained in Applicants' specification, a translation attribute specifies information that can be used to determine where and how to transfer the received call. (Specification, p. 6, lines 18-19.) More particularly, the translation attributes can be location-dependent in the sense that such attributes can identify, for example, the location of the particular call processing system or the area that the call processing system is to

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service. (Specification, p. 6, lines 19-20.) Alternatively, the translation attributes, which are customizable, can be tailored to the preferences of system user, such as an individual or business. (Specification, p. 6, lines 20-22.)

The ability to select a dialable number based upon a set of customizable dialing preferences and a set of customizable translation attributes provides several unique advantages. Sending a dialable number to a telephony switch to transfer the call once the dialable number has been so-selected permits call routing based on a switch location and generally enhances the efficiency of the routing. More particularly, with Applicants' invention, a number is selected from among a set of numbers based on the dialer's preferences and based upon a pre-selected set of customizable translation rules, which can achieve preferential routing and boost system efficiency as described.

Applicants' invention allows for the combined use of an auto dialer, a directory listing that includes multiple numbers, customizable dialing preferences, and a set of translation attributes for handling an existing call. Applicants' invention additionally provides for selecting one of several numbers associated with a name in a director and subsequent modification of the number based upon any one of several criteria. The criteria include cost, blocking international calls, using extensions using private leased lines, and the like. (See Specification p. 6, line 22 – p.8, line 15.) In contrast to Applicants' invention, conventional directory dialers do not dynamically implement particular routing strategies based upon customizable dialing preferences.

## **II. Jefferson In View Of Darden Does Not Anticipate Applicants' Invention**

As noted above, Claims 1-27 were deemed by the Examiner to be anticipated by Jefferson in view of Darden. Applicants respectfully maintain, however, that neither Jefferson nor Darden, singly or in combination, teach or suggest each feature of Applicants' invention.

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Jefferson is directed to a system and method for automatically examining and correcting telephone numbers so as to increase the likelihood that a connection between a local device and a remote device can be established. In particular, Jefferson examines a proposed telephone number to determine if it meets the requirements of an associated telephone system, and if not, that number is corrected according to pre-selected rules. (Col. 2, lines 62 - 66.) Otherwise, according to Jefferson, the number is simply dialed. (Col. 2, line 66 - Col. 3, line 5.)

The Examiner at paragraph 4 of the Office Action acknowledges that Jefferson fails to teach that feature of Applicants' invention directed to dialing a directory number associated with a matched name. The Examiner asserts, however, that auto dialers are ubiquitous in the telephony art and that Darden teaches utilizing an auto dialer to dial a director number associated with a matched name. Therefore, maintains the Examiner, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Jefferson with Darden.

Apart from whether there is any reasonable basis for combining Jefferson and Darden, however, the asserted combination fails to teach every feature of Applicants' invention. For example, neither Jefferson nor Darden provide a mechanism for choosing a number from among several acceptable ones. Jefferson only teaches selecting a "correct" number. But as described in Jefferson, a number is deemed correct merely by being sufficient to establish a communication link over the network. (See Col. 3, lines 54-60.) Darden is devoid of teachings relating to the selection of numbers. (Applicant respectfully notes that Darden is not cited by the Examiner as providing such teachings.)

Choosing a number based upon the explicitly stated criteria of "correctness" in Jefferson, however, does not teach or suggest any of the particular features provided by Applicants' invention. For example, choosing a correct number is not equivalent to choosing a best number among several alternatives, the best number being defined in accordance with customizable criteria. Jefferson does not suggest selecting or modifying

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a number so as to achieve efficient routing or to taken into account the location of a switch in the calling system. Accordingly, Jefferson neither teaches nor suggests selecting a number from among a set of numbers based upon either customizable dialing preferences or customizable translation attributes, as recited in each of independent Claims 1, 14, and 16, as amended.

Applicants respectfully submit, therefore, that the prior art fails to teach or suggest each feature of Applicants' invention. Accordingly, the prior art fails to provide a basis for rejecting any of amended independent Claims 1, 14, or 16. In as much as the claims that depend from the amended independent claims recite additional features, the prior art similarly fails to provide a basis for rejecting dependent Claims 2-13 and 15. Thus, Applicants respectfully request that the rejection of Claims 1-27 be withdrawn.

### CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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